

United States District Court for the District of Vermont

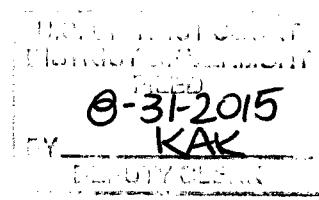
Damian John Renzello

Plaintiff

v,

Michael Nelson

Defendant



File No. 1:05-CV-153

MOTION to Set ORDER Against Plaintiff for Violating Settlement

and

Motion to ORDER Plaintiff to CEASE CONTACT per Settlement Agreement

Now Here Comes Mike Nelson, Pro Se and make formal request to the court to take affirmative action immediately to via Court ORDER against Plaintiff, Damian J. Renzello for Continued and persistent contacts to the defendant in violation of the settlement agreement of May of 2007.

In order to save costs to the Court and the Parties the defendant so submits Plaintiff, Damian J. Renzello has been unable to control himself and has consistently and in repetitive fashion violated the no contact provisions of the settlement agreement.

The attached and incorporated herein exhibits provide proof positive of such un-welcomed and illegal contacts by the Plaintiff, Damian J. Renzello.

The defendant reserves the right to file to amend this motion and request: Sanctions, Costs, to hold the Plaintiff in Contempt, and for damages compensatory and punitive, should the need arise, for example should the defendant have to make an appearance at the court or incur other expenses.

The Defendant by and through this motion would at this time simply like the court to summarily find based upon the attached evidence, which is computer generated and therefore not subject to human interference or subjective opinion the following:

1. Plaintiff Damian J. Renzello has violated the Consent Judgement and Settlement
2. Plaintiff Damian J. Renzello shall be ORDERED to Cease and Desist contact
3. Plaintiff Damian J. Renzello's further violations of the settlement or contact with the defendant shall result in contempt proceedings, costs, sanctions, punitive and compensatory damages being awarded the defendant

The following outlines some of the HUNDREDS of documents which can be filed should the need arise, regarding the illegal contacts of the Plaintiff in violation of the settlement agreement:

which is computer generated and therefore not open to subjective interpretation, I will be preparing separate filing of the dozens of online references Mr. Renzello directs at my person which are defamatory, slander per se and actionable:

The annexed hereto Exhibits clearly shows how Mr. Renzello has engaged in a pattern of conduct of contact which is forbidden by settlement, consent judgment and order of the court:

Exhibit A

Facebook message also sent via email 20 July 2010

Exhibit B

Facebook message also sent via email 20 July 2010

Exhibit C

Facebook messages making outlandish claims

Exhibit D

Facebook message making claims about Boston Bruins and RedSox

Exhibit E

Facebook message where Renzello is threatening to put a bullet in his head (suicide)

Exhibit F

Facebook message where Renzello is claiming to have MOLESTED at age 10

Exhibit G

Facebook Posting made by Renzello to BBB web page with defaming comments AIMED at my person and posted with intention to cause me damage while self promoting

Exhibit H

EMAIL Message from Renzello 29 November 2010; where Renzello states approximately 2.5 years after settlement he has finally decided to remove content off his website which defames my person, he makes reference he will remove another link but hasn't yet

Exhibit I

Facebook and Email messages 18 July 2010 where Renzello blames all the short comings and failures in his life on me and uses vile and swear words and language in the emails and facebook messages; also discusses putting a bullet in his head and thinking of suicide as some sort of “cry for help”

Exhibit J - 2 pages

Repetitive posts on the site RipOffReport made by Renzello over a period of YEARS and in repetitive fashion directing comments at my person in violation of the Court Order, this violates the court order in so much as it is defamatory postings and is aimed at my person by renzello in order to cause my person financial harm additionally these postings contain information RENZELLO knows to be false and at all times these postings were made by Renzello which violate the settlement agreement and are defamation per se according to the law; as a brief example of the extremes made by Renzello in his unlawful postings he makes the following false defamatory comments:

“He has been arrested numerous times by VT police” - UNTRUE

“He also ripped off a nationally know VT country store” - UNTRUE

“whom won in a court of law” - UNTRUE

“he fuels himself with money he scams from others” - UNTRUE

makes claims I rip people off - UNTRUE

makes claims I scammed money from others - UNTRUE

makes claims about not having a degree and false statements about other cases - UNTRUE

claims I have been arrested for drunk and disorderly conduct - UNTRUE

calls me a “scam artist” - UNTRUE

Renzello stalks private photos from a family website of us fishing

Renzello goes on to direct EVEN more postings at my person over a year later on the same post where Renzello calls my websites “fraudulent websites”;

He states false information that I have been sued by a Vermont Judge

States false statements I am banned from public buildings and from the University I graduated from.

Makes statements so others question me about my undergraduate degree

Makes homosexual references to defame my person and cause inter-family issues

Makes warnings that all websites I am involved with are “complete scams”

Unbelievable as it is Mr. Renzello continues on in more postings over a course of years:

in a listing on page 2 of the Exhibit Mr. Renzello makes a statement about himself which is NOT even posted in the original complaint about him, this just goes to prove Mr. Renzello probably made the original posting as part of his pleas for help and more drama as Mr. Renzello now makes the claim he was the victim of sexual molestation at the age of ten.

Mr. Renzello states: "He has never come under investigation with the attorney General of the State of Vermont" - this is apparently UNTRUE according to reports by the Barre-Montpelier Times Argus newspaper which quote Debra L. Leahy as saying she investigated Renzello cause in their (meaning the Vermont Attorney Generals opinion) Renzello's conduct was Violations to the Consumer Fraud Act.

While I have hundreds of pages more which could be filed I am presently overseas and have only limited access to the computer and limited time to work on this issue.

Upon return to the United States and if the Court so warrants it necessary I submit we can submit many more documents of evidentiary evidence of dozens of postings on the Internet which are all defamatory and untrue we can also submit postings where Renzello for years has put up postings on websites HE CONTROLS and owns the domains and servers for and has done so repetitively and in serial fashion with VILE and untrue statements for the purposes to cause financial harm, contact which is illegal under the settlement and purposeful interference in my career and occupations.

Prayer for relief:

The defendant prays that this court will enter consent judgment against Renzello and immediately ORDER Renzello to CEASE and DESIST his unlawful contact in violation of the Court Order and Consent Judgement.

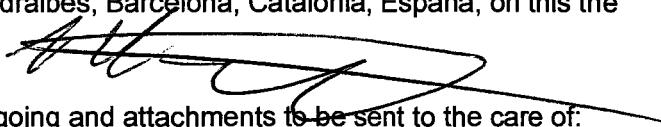
Find that Renzello has VIOLATED the Consent Judgment.

Find that Renzello's comments were and are FALSE.

Issue an order barring Renzello from continued contact to the defendant and warn Renzello if he continues to flout the intention of the settlement and the order of the court he will be found in contempt and be made to pay compensatory and punitive damages.

Defendant HEREUPON signs his hand at Pedralbes, Barcelona, Catalonia, Espana, on this the 26 day of August 2015:

Michael Nelson in Proper Person(ProSe)



Certificate of Service having caused the foregoing and attachments to be sent to the care of:

Luellen McDonagh 1325 Route 14 South East Montpelier Vermont 05651

(the return address on the registered mail letter received by my parents)

Attachments and Annexed incorporated herein Exhibits A through J2